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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 PETER JASON HELFRICH,
10 Petitioner,
11 vs.
12 STATE OF NEVADA, et al.,
13 Respondents.
14

Case No. 2:16-cv-00312-RFB-NJK

**MOTION FOR ENLARGEMENT OF TIME
TO FILE RESPONSE TO AMENDED
PETITION FOR WRIT OF HABEAS
CORPUS (ECF NO. 9)**

(FIRST REQUEST)

15
16 Respondents move this Court for an enlargement of time of 60 days, up to and including July 13,
17 2018, in which to file a Responsive Pleading to Petitioner's Amended Petition for Writ of Habeas Corpus
18 (ECF No. 9). This Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of
19 Practice and is based upon the attached affidavit of counsel.

20 This is the first enlargement of time sought by Respondents and is brought in good faith and not
21 for the purpose of delay.

22 DATED May 11, 2018

23 Submitted by:

24 ADAM PAUL LAXALT
Attorney General

25 By: /s/ Natasha M. Gebrael
26 NATASHA M. GEBRAEL (Bar. No. 14367)
27 Deputy Attorney General
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STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, NATASHA M. GEBRAEL, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada, and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Peter Jason Helfrich v. State of Nevada, et al.*, Case No. 2:16-cv-00312-RFB-NJK, and as such, have personal knowledge of the matters contained herein.

2. The Response to Petitioner's Amended Petition for Writ of Habeas Corpus is due to be filed on May 14, 2018.

3. This Motion is made in good faith and not for the purpose of delay.

4. I have been unable with due diligence to timely complete a Reply herein. In addition to this case and about 25% of all federal habeas corpus cases in Southern Nevada, I am responsible for approximately 25% of all state court habeas petitions that challenge time credits impacted by the Nevada Supreme Court's recent decision in *Williams v. State Dep't of Corr.*, 402 P.3d 1260 (Nev. 2017), with an average of 15-25 responses due per week. I am also responsible for certain non-time credit state petitions and direct appeals to the Nevada Supreme Court arising out of Attorney General prosecutions.

5. I am still in the process of reviewing the procedural history and relevant pleadings in the instant matter and have not obtained all relevant trial court records from the Fifth Judicial District Court in Nye County. The court clerk in the Fifth Judicial District must personally scan all trial court documents individually and is currently in the process of fulfilling the request in this matter.

6. Moreover, I am currently responsible for the case *Brian Williams v. Malcolm Wiggins*, Case No. 74925 in the Nevada Supreme Court. An Opening Brief is due and has a firm deadline of May 23, 2018. The time required to work on the Opening Brief directly affects my ability to complete a responsive pleading in this matter.

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7. Based on the foregoing, Respondents request an extension of time of 60 days to file a responsive pleading to Petitioner's Amended Petition for Writ of Habeas Corpus, through July 13, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 11, 2018.

/s/ Natasha M. Gebrael
Natasha M. Gebrael (Bar No. 14367)

IT IS SO ORDERED:


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 4th day of June, 2018.

